

Holland & Knight LLP
50 California Street, Suite 2800
San Francisco, CA 94111
Tel: 415.743.6900
Fax: 415.743.6910

HOLLAND & KNIGHT LLP
Charles L. Coleman, III (65496)
Tara S. Kaushik (230098)
Thomas D. Leland (Pro Hac)
Leah E. Capritta (Pro Hac)
50 California Street, Suite 2800
San Francisco, CA 94111
Telephone: (415) 743-6900
Fax: (415) 743-6910
E-mail: charles.coleman@hklaw.com
tara.kaushik@hklaw.com
thomas.leland@hklaw.com
leah.capritta@hklaw.com

Attorneys for Plaintiff
UNITED ENERGY TRADING, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED ENERGY TRADING, LLC,

Plaintiff,

vs.

PACIFIC GAS AND ELECTRIC
COMPANY, a California corporation,;
ALBERT TORRES, an individual; BILL
CHEN, an individual; TANISHA ROBINSON,
an individual,

Defendants.

Case No.: **3:15-CV-2383**

**STIPULATED REQUEST FOR AN
ENLARGEMENT OF TIME TO FILE
OPPOSITION AND REPLY BRIEFS
REGARDING DEFENDANTS' MOTION
TO DISMISS, CONTINUANCE OF
HEARING DATE, AND ~~PROPOSED~~
ORDER [RULES 6-2 AND 7-7]**

Judge: Hon. Richard Seeborg

COMES NOW the Plaintiff, United Energy Trading, LLC, by and through its attorneys,
Holland & Knight, LLP, and the Defendants, Pacific Gas and Electric Company, Albert Torres, Bill
Chen and Tanisha Robinson, by and through their attorneys Paul Hastings, LLP, and hereby file
their Stipulated Request for an Enlargement of Time to File Opposition and Reply Briefs Regarding

STIPULATED REQUEST FOR AN ENLARGEMENT
OF TIME TO FILE OPPOSITION AND REPLY BRIEFS
REGARDING DEFENDANTS' MOTION TO DISMISS
AND TO CONTINUE HEARING DATE

CASE NO.: 3:15-CV-2383

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1 Defendants' *Motion to Dismiss* and continue the related hearing date. In support of the same, the
2 Parties state as follows:

3
4 On February 4, 2016, Defendants filed a *Motion to Dismiss* in response to Plaintiff's
5 underlying *Amended Complaint*. (Dkt. No. 79.)

6 Per Local Rule 7-3(a), Plaintiff's *Brief in Opposition* to this *Motion* is due by February 18,
7 2016.

8 Per Local Rule 7-3(c), Defendants' *Reply Brief in Support* of their *Motion to Dismiss* is due
9 seven days from the filing of Plaintiff's *Opposition*, and no later than February 25, 2016.

10 The hearing date for this *Motion to Dismiss* is currently set for March 10, 2016. (Dkt. No.
11 79.)

12 Plaintiff and Defendants now file this stipulated request that the due dates for the *Opposition*
13 and *Reply* briefs, and the hearing date, be enlarged as follows:

14 That Plaintiff's *Brief in Opposition* to Defendants' *Motion to Dismiss* now be due March 18,
15 2016;

16 That Defendants' *Reply in Support* of their *Motion to Dismiss* be due fourteen (14) days
17 from the date Plaintiff's *Opposition* is filed and no later than April 1, 2016;

18 That the hearing date be continued to April 21, 2016.

19 Both briefing enlargements are sought in advance of the expiration of either filing deadline,
20 pursuant to Local Rule 6-6(a).

21 The hearing continuance is sought before Plaintiff's *Opposition* has been filed and before
22 the date that *Opposition* is due, currently February 18, 2016. It is thus properly requested under
23 Local Rule 7-7(a).

1 The Parties have previously submitted stipulated requests to extend the time for Defendants
 2 to respond to Plaintiff's *Complaint* by two weeks and to Plaintiff's *Amended Complaint* by one
 3 month.

4 The Parties have also previously jointly requested changes to the briefing schedule
 5 regarding Defendants' *Motion to Dismiss* all claims of Plaintiff's original *Complaint*.
 6

7 No other enlargements have been sought by the parties, and all of their joint requests have
 8 been granted.

9 None of the sought enlargements will otherwise change the schedule of case.

10 Good cause exists for all enlargements sought herein because: (1) none prejudices any of the
 11 Parties or the Court, (2) both serve to maintain the thirty-five (35) day notice schedule contemplated
 12 by Local Rule 7-2(a), and (3) both grant the Court more than the minimum amount of time to
 13 review the briefing as contemplated by Rule 7-2.
 14

15 THEREFORE, pursuant to Local Rules 6-2(a) and 7-7(a), the Parties respectfully file this
 16 stipulated request that Plaintiff's *Brief in Opposition* to Defendants' *Motion to Dismiss* now be due
 17 March 18, 2016; that Defendants' *Reply in Support* of their *Motion to Dismiss* be due fourteen (14)
 18 days from the date Plaintiff's *Opposition* is filed and no later than April 1, 2016; and that the
 19 hearing on this matter be continued to April 21, 2016. The declaration of Thomas D. Leland,
 20 required by Local Rule 6-2, is filed contemporaneously with this *Motion*.
 21

22 Respectfully submitted,

23 Dated: February 11, 2016

By: /s/ Adam M. Reich

Adam M. Reich
 Counsel for Defendants

25 Dated: February 11, 2016

By: /s/ Thomas D. Leland

Thomas D. Leland
 Counsel for Plaintiff

ORDER

Good cause appearing therefor, IT IS HEREBY ORDERED THAT the Case Schedule is modified as follows:

Plaintiff's *Brief in Opposition* to Defendants' *Motion to Dismiss* is now due March 18, 2016.

Defendants' *Reply in Support* of their *Motion to Dismiss* is due fourteen (14) days from the date Plaintiff's *Opposition* is filed and no later than April 1, 2016.

The date of the hearing on this *Motion to Dismiss* is now set for April 21, 2016.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/11/16



The Honorable Richard Seeborg

UNITED STATES DISTRICT JUDGE

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